

RANGE OF THERMOMETER.  
Following was the range of the thermometer at The Times office yesterday:  
9 A. M., 60; 12 M., 67; 3 P. M., 70; 6 P. M., 65; 9 P. M., 63; 12 M., 62; average temperature, 64.5.

# The Times

WEATHER FORECAST.

Forecast for Sunday and Monday: Virginia—increasing cloudiness Sunday with rain in afternoon or night, and on Monday; warmer Sunday in southern portions; fresh easterly winds. North Carolina—Rain Sunday; warmer in eastern portion; Monday rain, increasing easterly winds.

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PRICE THREE CENTS.

## A RIOTOUS MOB LYNCHED TWO PRISONERS IN BROAD DAYLIGHT AT EMPORIA BENEATH THE VERY SHADOW OF THE COURTHOUSE.

Military Had Scarcely Left the Town When the Murderers Prepared to Commit Their Great Crime.

EX-JUDGE OF THE COUNTY TOOK PART IN THE LYNCHING  
Plot Between Bloodthirsty Citizens and the Authorities to Have the Troops Withdrawn and Then Go Ahead With the Hanging.

IS BELIEVED ONE OF THE VICTIMS IS INNOCENT OF THE CRIME CHARGED

Walter Cotton, the Negro Murderer, and a White Man, Thought to be Named O'Grady, Swung Up to a Limb Despite the Protests of Law Abiding Citizens, While the Sheriff, Who Was "Under the Weather", Made Himself Scarce—Many Hundreds of People, Including Some Ladies, Witnessed the Lynching, Which Was Participated in by a Large Number of Countrymen from all Parts of Greenville County.

(From a Staff Correspondent.)

EMPORIA, VA., March 24.—Walter Cotton, the negro murderer, and Brandy O'Grady, the man who is supposed to have had part in the killing of Officers Saunders and Welton, were lynched in the jail yard here today.

After the whites had taken the life of the negro, the blacks, led by several men of the other race, executed the alleged Irishman. A crowd of large proportions for a town of the size of this one, cheered as the two men were strung to the limb of an ancient wild cherry tree. Two shots were fired into the body of the negro by a relative of Mr. Welton. The unlawful hanging of these men was made possible by an order for the removal of the Blues. These soldiers had not reached Richmond on their return before the infuriated mob broke into the jail and brought the negro out. O'Grady was lynched soon thereafter.

A MEMORABLE DAY.

This day has been one the people of Greenville and adjoining counties can never forget. The soldiers were on guard duty all night. They moved about over their beats in the cool night air, lashed about a big log fire or slept for brief periods in their blankets. It was a cool, damp, dismal morning. The weather

Sheriff should order the troops withdrawn. He asked those assembled what they thought should be done. Various views were expressed, but all were practically agreed that Cotton should not be, under any circumstances, taken to Portsmouth. Inasmuch as lawyers had advised that the negro having escaped from Portsmouth while under sentence of death, he would not be legally tried and convicted in Greenville, but would have to be carried to Portsmouth and resentence to death. The Greenville people were frank to say that the man should be executed in their county.

MORE TROOPS NEEDED.

Major Cutchins told the gentleman that if the military were going to remain he would call for additional troops. "I can hold that jail with the men I have got against all Greenville," said the Major. "But I do not want to shoot down your people. Many will think they can take Cotton against one company. They, therefore, may make an attack, and then there will be bloodshed. A larger force will have the moral effect of preventing an attack, and will prevent the loss of life."

When the Major had concluded his remarks a gentleman said: "I move that all who favor discharging the soldiers

The men got down to the business which brought them to town. They gathered in little groups and discussed the situation. It was quite apparent that something unusual was going to happen very soon. Judge Goodwyn had been warned to keep out of the court-house yard. He was informed that if he attempted to interfere with anything that might go on his own life would be in danger. He watched the movements of the men from his yard, about fifty yards away. Sheriff Lee had been told also that he had better not stay about the jail.

TO LYNCH TWO.

It seems that it was at first proposed to lynch the negro tonight, but the very being clear and many persons having come from a distance, the leaders could see no reason for postponing the work. Besides, some reasoned that it would have the desired effect upon evil-disposed persons to have the execution take place before a large crowd assembled. There were at this time probably one thousand whites and blacks, the former being slightly in the majority, in the square. A few negro women were on the outskirts of the crowd. A number of white ladies could be seen what was transpiring from their porches across the main street of the town. About half past twelve o'clock the smaller groups of men began to join the central one. It was not long before there was a movement toward the jail. Then everybody realized that the lynching of Cotton was about to take place. A shout was sent up by a few.

### EX-JUDGE THE LEADER.

Former Occupant of the County Bench Helped to Lynch Negro.

Former County Judge G. P. Barham was the recognized leader of the party. He and a few others had no trouble in entering the jail. The man who had the keys made a formal protest. There was considerable delay in getting the prisoner out. He was shackled and chained to the floor. It required about ten minutes to get these things unstuck. Outside was considerably subdued excitement, but no disorder. The average white man wore a very determined look. They seemed to think the lynching of the negro was a very solemn duty. The negroes were quiet. Some openly said they thought this murderer ought to die by the method decided upon.

NO PLEA FOR MERCY.

Cotton made no protest. He did not beg for mercy. He did not yell. In fact, he knew the cure was at hand, and sullenly did as he was told to do. The shackles removed, the rope was chained about Cotton's neck, but the handcuffs were not removed. As he was led out there was fear that an attempt would be made to shoot him, as several persons appealed to the crowd not to shoot. No one drew a revolver. The man walked steadily. The rope choked him as he was being dragged to a tree about thirty yards distant. A young man climbed up to the first limb and the end of the rope was thrown to him. He placed it over the branch. A dozen men got hold of the rope, and the negro was jerked up. Then two pistol balls were fired into his body. Death was almost instantaneous. The body was not cut down at once, but was left hanging there.

By this time the crowd had doubled. The most exciting incident of the day was yet to come. The negroes, looking upon the form of one of their race dangling in their sight, began to demand the life of the white man, O'Grady.

"You have killed the negro, now let's hang the white man," they said in a chorus.

"We will help you," responded a number of whites.

### O'GRADY HANGED TOO.

Appeals Were Made in Vain for the Man's Life.

The crowd rushed back to the jail. Half a dozen men went in to protect O'Grady. Judge Barham addressed the mob. "Cotton was a confessed murderer," he said; "but who knows that the white man is guilty?"

"No, you don't," answered the Judge. "This man may be innocent. Let's give him a chance to prove. If guilty, I will go as far as any one of you in punishing him."

"Bring him out," shouted a chorus of voices.

Then several of the mob broke by Judge Barham and entered the jail. There was some trouble in getting into the cell. The lynchers were forced out. But they were determined to make another effort. Mr. C. T. Boykin, of Richmond, appealed to

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## WERE HIRED TO MURDER WM. GOEBEL

Statement of Golden on the Witness Stand Yesterday.

HOCKER SMITH AND DICK COMBS WERE THE MEN

Several Prominent Men Involved in the Murder.

TAYLOR IS IMPLICATED THOUGH NOT DIRECTLY

His Name Will Not be Prominent in the Prosecution.

PLAN WAS ON FOOT TO THIN OUT DEMOCRATIC LEGISLATORS

Feudists Were to Kill Enough to Give Republicans a Majority.

THE WITNESS WAS QUITE WEAK

He Was Not Subjected to Cross Examination on Yesterday and Adjournment Was Taken at an Early Hour in the Afternoon on Account of His Physical Condition.

Enough Evidence Has Been Added to Hold Defendants on the Charges in the Opinion of Prosecution.

FRANKFORT, KY., March 24.—John Powers told me they had two niggers here to kill Goebel. They were Hocker Smith and Dick Combs.

This statement was made today by F. Wharton Golden, a frail, consumptive-looking Kentucky mountaineer, while on the witness stand in the preliminary examination of Secretary of State Caleb Powers, charged with conspiracy to kill Goebel.

Golden told a story of the events leading up to the murder that, if substantiated, will, in the minds of those connected with the prosecution, at least go far to prove the contents of the Commonwealth that the murder was the result of a plan in which several prominent men were involved. Whether the defense will seek to impeach Golden's testimony in this preliminary examination is not known, as the attorneys for the defense will not talk on the subject, but unless such attempt is made the Commonwealth will rest its case, both County Attorney Polsgrove and Attorney Campbell being satisfied that enough evidence has been presented to hold the defendant on charges.

DAMAGING TO JOHN POWERS.

Golden, who claims to have been a friend to Secretary Powers and his brother, John Powers, for years, gave testimony that was particularly damaging to John Powers, but he also brought in the names of many others, including Charles Finley, W. H. Cullen, and Governor Taylor in his story of the bringing of the mountaineers to Frankfort previous to the assassination. Governor Taylor, however, was not directly implicated, and the attorneys for the Commonwealth intimated today that they do not expect to have his name brought forth prominently in the story of the alleged conspiracy.

Golden was not cross-examined today, and adjournment was taken at an early hour this afternoon on account of his physical condition, the witness having a slight hemorrhage during the morning, and during the examination in the afternoon he begged to be allowed a respite. He was quite nervous at times.

Golden's testimony tended to show that a plan was made to bring several hundred regular "mountain feudists" to Frankfort, who would, if necessary, as Golden expressed it, "go into the Legislative Hall and kill enough Democrats to make it our way."

The testimony did not show that the alleged plot to kill Goebel was part of the original plan, nor did it connect the names of those who conceived that idea, but the Commonwealth sought to show by Golden's conversations with various people that not only John and Caleb Powers, but others as well, had full knowledge of the alleged plan of assassination.

TO BLOW UP ARSENAL.

Democrats Excited Over Alleged Guy Fawkes Plot.

FRANKFORT, KY., March 24.—There was much excitement in Democratic quarters to-night over a report that the guards in charge of State Arsenal had laid a mine in front of the State Arsenal, connected with the inside by a wire, so that it could be touched off in case of an attack. The excitement was increased when, another report was circulated that one of the officers had purchased 100 feet of fuse from a local hardware merchant, and it was reported that this fuse was to be attached to the mine alleged to be at the arsenal.

## THE GOVERNOR, IN AN INTERVIEW, DECLARES THERE IS NO WAY TO CONDONE THE LYNCHING OF COTTON AND O'GRADY BY EMPORIA MOB.

Cites Mitigating Circumstances, But Maintains That the Law Should Have Taken Its Course.

THE FAULT LIES NOT IN THE LAW, BUT WITH THE PEOPLE

The Remedy is to be Found in the Greater Cultivation of Respect for the Constitution in the Minds and Hearts of the Masses.

MAJOR SOL. CUTCHINS HOLDS THAT HIS FORCE WAS SUFFICIENT

Lives of the Two Men Who Were Accused of the Heinous Crimes Would Have Been Safe in the Hands of the Military Had the Troops Remained in Control of the Situation—The Angry Crowd Was Held at Bay and so Long the Culprits

Safety from Violence at the Hands of the Murdered Men's Avengers Was a Fact—How Witnesses Regard It and the Feeling in this City is Somewhat Divided.

Governor J. Hoge Tyler received the following telegram from a New York paper last night saying: "Will appreciate expression of opinion on occurrences to-day, and what remedies you think best." Governor Tyler wired the following reply:

"The action of the mob of Greenville county in lynching Cotton and O'Grady cannot be condoned. There are some instigating circumstances. The people of the county were very much excited and incensed on account of several crimes that had been committed in their neighborhood, finally culminating in the murder of two prominent citizens, who were endeavoring to apprehend these two men, who were suspected of having committed these offenses. It developed that it was by and under the leadership of Cotton, an escaped convict, who had broken jail the night before he was to have been executed, and was boasting, after capture, of the execution of the fiendish murders he had committed."

"The result demonstrates that the defect is not in the law; but in the failure of its enforcement. The troops had the situation well in hand, and all trouble would have been averted."

"The sheriff, who, under our statutes, has entire control of the military in such situations, ordered the soldiers home, and refused to let them remove the prisoners to a place of safety. Within a short time after the troops had left, the mob re-assembled and lynched the prisoners."

"The remedy for such occurrences may be found in a greater cultivation in the minds and hearts of the people of deeper respect and obedience to our Constitution and laws, thereby causing them to select as their officers men who will fearlessly maintain the majesty of the law."

"No people can afford to have their laws defied, however great the provocation."

Shortly after he had been advised of the lynching of Cotton and O'Grady, Governor Tyler said:

"I feel that I did all I could in the matter," said Governor Tyler yesterday afternoon. "The civil authorities stated that they could handle the mob without military assistance and when the sheriff ordered Major Cutchins to depart, there was nothing left for him to do but go."

"I am greatly distressed at the result, but I could not keep the soldiers there, without declaring martial law, and I did not feel that the prevailing conditions warranted it."

"The soldiers behaved nobly, I am told by Major Cutchins, and I know of my own knowledge, that they lost no unnecessary time in getting together on the call to arms."

"The law in reference to such matters will, I presume, be carried out. The men who took part in the lynching will, or should be, arrested, and dealt with accordingly."

"As Governor and as a citizen, I deeply deplore this flagrant outrage upon the law. Nothing was left for me to do but what was done. I exercised my prerogative to its fullest extent."

"The trouble seems to have been with the authorities at Emporia. We were given to understand that protection would be given the prisoners. The result shows that this confidence was abused."

"A meeting was held by the Judge, the Sheriff and a number of the leading citizens in the Judge's office, and pledges were then made to uphold the law. The result was to believe that the prisoners would be protected, and in accordance with that belief, he withdrew his request for military protection. The Sheriff is supreme in such instances, except as I have said, where martial law is declared."

"There is nothing left that I can see for me to do in my official capacity, but I trust the law will take its proper course in dealing with those who so boldly trod upon it."

### LAW IN THE CASE.

Says the Governor Shall See That the Law Be Executed.

Considerable comment has arisen here as to the law in the case of an Executive officer ordering the militia to or from a place for the suppression of riots or other disturbances. The law, taken from the Code of Virginia, is herewith appended:

Article IV., section 5. Constitution of Virginia, says: "The Governor shall take care that the laws be faithfully executed." \* \* \* He shall be commander-in-chief of the land and naval forces of the State, have power to embody the militia to repel invasion, suppress insurrection, and enforce the execution of the laws."

Chapter XVI., section 21. Code of Virginia, says: "If any combination \* \* \* shall become so powerful as to obstruct in any part of this State the due execution of the laws."



GOVERNOR J. HOGE TYLER.

(Who is being severely criticised for his action in withdrawing the troops.)

"They believed their lives were in danger, and, under the pressure brought to bear, they were forced to act as they did. We could have taken the prisoners from jail yesterday evening, and brought them to Richmond with little trouble. But there would have been trouble, and probably a great amount of blood shed had we attempted to bring him away this morning with one company."

"I am in no position to talk," said Major Cutchins. "My telegrams to the Governor fully explained the condition of affairs. Under other orders than those we had we could have and would have acted differently."

"I have made my report to the Governor, and he has complimented my men and myself upon our conduct."

"A conference was held this morning in the Judge's office, with the Judge the Sheriff and a number of prominent citizens present. They took a vote on the question as to whether we should return to the jail or remain where we were. It was decided that we return home. The Sheriff then gave us formal notice, countersigned by the Judge."

"The people there treated us with respect, but they were bitter against Judge Goodwyn and Sheriff Lee."

"It was openly stated that the man would be lynched, and when we came away we understood that such would be the case. The lynching would have taken place the night before had we not been present, and I am confident we could have prevented mob violence had we remained there and received the reinforcements the Governor intended us to have."

"The Major complimented his men upon their soldierly bearing."

CAPTAIN DAUGHTREY'S VIEW.  
Captain Daughtrey's view was similar to that of Major Cutchins.

"We were on our arms, and kept going

of Sheriff Lee, left that place at 11:15 o'clock yesterday morning and reached Richmond at 12:30 o'clock.

"They reported that everything was quiet at that place when they left, but before the company reached this city news came that Cotton had been lynched."

"This news was no surprise to the soldiers, for they were impressed with the idea that a lynching would take place after they had departed. The whole matter, they said, seemed to have been prearranged, and the Judge and the Sheriff appeared to have completely collapsed, so far as their nerve was concerned."

"The guard of civilians," said one of the soldiers, "were of no assistance to us at all. They simply refused to do service with us, and, in my opinion, had a clash come they would have sided against us. They were mixed up with the mob, and no one could have distinguished one from the other."

"Another of the soldiers said that they could have held the jail against any crowd that could have collected, but as the mob increased in numbers there would have been much trouble in getting the prisoners from the jail to the train without reinforcements."

### HOW REGARDED HERE

Division of Sentiment as to Governor Tyler's Course.

The lynching of the two men at Emporia yesterday was the topic of conversation in this city yesterday afternoon and last night, and criticisms in all its phases were made.

Many citizens disapproved in emphatic language the action of the Governor in allowing the troops to leave Emporia

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JUDGE W. SAMUEL GOODWYN.

(From a photograph taken some time ago. He now wears no beard.)

was anything but such as to make guard duty pleasant. But not a soldier complained. Each one faithfully performed the duty assigned him. Major Cutchins and the other officers stayed up all night. Many of the men who had assembled to lynch Cotton went home after Mr. S. V. Southall, Jr., and others had assured them that Cotton would not be taken away. Some were not satisfied and came back and remained in the neighborhood of the court-house.

TO REMOVE THE MILITIA.

About seven o'clock some of the officials got together and decided that it would be well to remove the military. Sheriff Lee, who was not in the best of condition the night before, showed up and relieved Acting Sheriff Robertson. Mr. Lee was still a little "worried" but resumed his duties. By seven o'clock Major Cutchins received information that an order for the discharge of the military would likely be issued. It was then that he wired the Governor to hold Company A, of the Blues, asking if he should obey orders, and informing the Executive that Cotton would be lynched if the troops should be removed. It was sometime before the reply of the Governor was received. In the meantime, a conference of officials and prominent citizens was arranged to take place in Judge Goodwyn's office. People were by this time flocking into the town. They came from all parts of Greenville, from Sussex and other adjoining counties. Nearly every man was armed.

DIDN'T WANT HIM TO LEAVE.

The conference at Judge Goodwyn's office took place soon after nine o'clock. There were about a score of persons present. The Judge presided, and stated that the Governor had wired Major Cutchins to obey orders if he and the

and placing a citizens guard about the jail hold up their hands."

### SOLDIERS DISCHARGED.

Major Cutchins at Once Leaves With His Soldiers.

The vote was unanimous. Sheriff Lee and Judge Goodwyn at once signed the order of discharge and Major Cutchins pocketed the paper and went over into the court yard. He notified Captain Daughtrey to prepare to leave for Richmond with his men. The soldiers were taken off guard duty and the crowd of whites and blacks pressed into the yard. Sheriff Lee took charge of the jail. I asked him as he was leaving the court yard how many deputies he had sworn in.

"We need practically none during the day," he said, "but will have guards at the jail to-night." I did not see the sheriff again during the day.

The soldiers soon departed and marched down the dusty road and across Meherrin River to the station, half a mile away. There were a number of people present to see them off. The boys were given a farewell cheer.

JUDGE WARNED TO STAY AWAY.

The clouds that had hovered over the town during the early part of the morning had all disappeared at 11 o'clock, and the sun shone warm and bright. It was an ideal spring day, and the court-house green was a very comfortable lounging place.

The crowd of visitors was constantly increasing. They came in all sorts of vehicles and on foot. They were mostly the farmers of the surrounding county, who had known and loved the two murdered men. There was no longer any loud talking or denunciation of officers.

CARNIVAL WEEK, RICHMOND, MAY 14 TO 19.